

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	
TOWN SPORTS INTERNATIONAL	:	Bankruptcy Case No. 20-12168 (CSS)
LLC, <i>et al.</i> ,	:	Bankruptcy BAP No. 21-15
	:	
Debtors.	:	
	:	
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RAMON MORENO-CUEVAS,	:	
	:	
Appellant,	:	
	:	
v.	:	C.A. No. 21-458-MN
	:	
TOWN SPORTS INTERNATIONAL, LLC	:	
	:	
Appellee.	:	

RECOMMENDATION

At Wilmington this **20th** day of **April, 2021**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted its review, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

According to D.I. 1 of this Court's docket, which consists of four (4) pages and

was initially filed in the Bankruptcy Court, and incorporated with his notice of Appeal, Appellant advised in a note at the bottom of the first page that he corrected his filing errors and sent his money order for this appeal to the Clerk of the Bankruptcy Court.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. Through this Recommendation, the parties are advised of their right to file objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng